

Amendment B
U.S. appl. no. 10/565,606

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REMARKS

Favorable consideration and entry of the foregoing amendments to the specification and claims are respectfully requested.

The specification has been amended so that the element numbering matches that used in the drawings, specifically that used in Fig. 2. Applicants submit that this approach is more appropriate than submission of a replacement drawing because it better reflects the description in the paragraph that bridges pp. 11-12 of the as-filed specification² while still overcoming the objection to the drawings set forth in the paragraph that bridges pp. 2-3 of the 3/26 Action.

Claims 22 has been amended with support for the changes being found at, for example, pp. 13-14 of the specification as filed.³

Claim 26 has been canceled and claim 38 has been amended to include a missing word, thus obviating the objections at page 3 of the 3/26 Action.

Claim 31 has been canceled and claims 35 and 39 have been amended, actions which are submitted to obviate the indefiniteness rejections set forth at page 4 of the 3/26 Action. With respect to claim 39, Applicants submit that the present wording reflects the utility and operation of the embodiment described in the last full paragraph of page 7 of the specification as filed.⁴

The foregoing amendments to the claims, if entered, will result in the application containing the following as pending claims: 22-25, 27-30, and 32-41, a total of 18 claims, only one of which is independent. Accordingly, no surplus claim fees are required.

All pending claims were rejected as anticipated or obvious. The various rejections are summarized as follows:

- claims 22-25, 32, and 40-41.⁵ 35 U.S.C. § 102(b), anticipated by DE 1063936 (hereinafter "DE-936")
- claims 38-39: 35 U.S.C. § 103(a), obvious over a combination of DE-936 in view of U.S. Pat. No. 6,127,007 (hereinafter "US-007");
- claims 27, 29 and 33: 35 U.S.C. § 103(a), obvious over a combination of DE-936 in view of U.S. Pat. No. 6,605,340 (hereinafter "US-340");
- claims 35-36: 35 U.S.C. § 103(a), obvious over a combination of DE-936 in view of GB 565,238 (hereinafter "GB-238");
- claim 28: 35 U.S.C. § 103(a), obvious over a combination of DE-936 in view of US-007 and U.S. Pat. No. 4,479,994 (hereinafter "US-994");

² Corresponding to paragraph 0044 of the published version of the application.

³ Corresponding to paragraphs 0043-0045 of the published version of the application.

⁴ Corresponding to paragraph 0025 of the published version of the application.

⁵ Claims 26 and 31 were included in this rejection, but these have been canceled.

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- claim 30: 35 U.S.C. § 103(a), obvious over a combination of DE-936 in view of U.S. Pat. No. 6,373,058 (hereinafter "US-058");
- claim 34: 35 U.S.C. § 103(a), obvious over a combination of DE-936 in view of U.S. Pat. No. 4,645,704 (hereinafter "US-704"); and
- claim 37: 35 U.S.C. § 103(a), obvious over a combination of DE-936 in view of U.S. Pat. No. 5,117,737 (hereinafter "US-737");

From the foregoing, one can see that each pending claim has been rejected in some manner over DE-936, either alone or in combination with another reference.

The 3/26 Action appears to rely on a machine translation of DE-936. Applicants checked but could not find an English language equivalent of this German language reference, so Applicants undertook to obtain a full translation of DE-936. A copy of that full translation is included with this submission. (An IDS is not included because it already is of record.)

DE-936 is directed to a textile fabric sheet that first is uniformly colored with one dye and then partially overprinted with one or more other dyes that depress the IR reflectivity of the first dye. It does not teach or suggest a polymeric film that includes incorporated pigment(s), a digital pattern of printed dots, and an adhesive on one of its primary surfaces. Accordingly, DE-936 neither teaches nor suggests amended claim 22.

Applicants further submit that none of US-007, US-340, GB-238, US-994, US-058, US-704, or US-737 compensate for the deficiencies of DE-936.

Rather than separately argue the patentability of claims 23-25, 27-30, and 32-41 in this submission, Applicants presently are willing to rely on the fact that DE-936, as properly read as a whole, does not teach or suggest amended claim 22. Nevertheless, Applicants reserve the right to later argue the separate patentability of any or all of the dependent claims.

Questions about this amendment or the application in general can be directed to the attention of the undersigned. The correspondence address remains unchanged.

Respectfully submitted,



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